IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL No. 1059 OF 2003
IN
SUMMONS FOR JUDGMENT No. 678 OF 2001
IN
SUMMARY SUIT No. 1299 OF 2001

M/s. Skylark Construction & Ors.... Appellants

Vs.

Mahesh Kantilal Shah & Ors. & Anr. ... Respondents

Mr. R. T. Parekh, Advocate for the appellants.

Mr. H. H. Trivedi, Advocate for the respondents.

CORAM : Dr. S. RADHAKRISHNAN, J.
AND
ANOOP V. MOHTA, JJ.

DATE : FEBRUARY 25, 2008.

PC :-

. Heard the learned counsel for the appellants and the learned counsel for respondents. The learned counsel for the respondents submitted that respondent No. 2 Bharat Kantilal Shah passed away in the year 2001. The learned counsel for the respondents says that he himself was not aware till Saturday about the death of the respondent No.2, as such

he could not comply with the provisions of Order 22, Rule 10-A of the Code of Civil Procedure and in lieu thereof, he submits that he will furnish all particulars to the learned counsel for the appellants within one week from today. The learned counsel for the appellants seeks two weeks time to take out Chamber Summons to bring legal representatives on record. Time is granted.

Sd/-
[Dr. S. RADHAKRISHNAN, J.]

Sd/-
[ANOOP V. MOHTA, J.]